

IN THE COURT OF COMMON PLEAS
ERIE COUNTY, PENNSYLVANIA
CIVIL ACTION - IN REM

COMMONWEALTH OF PENNSYLVANIA :

Plaintiff :

VS : 1659 MISC 1993

\$2,918.00 CASH, U.S. CURRENCY,
SEVEN FIREARMS, AMMUNITION AND
ONE SUNBEAM ELECTRONIC SCALE

Defendant :

PETITION FOR CONSENT ORDER

CLERK OF RECORDS
CRIMINAL DIVISION
COUNTY COURT HOUSE
ERIE, PENNA.
JUN 10 9 13 AM '93

COMES NOW, the Attorney General of the Commonwealth of Pennsylvania, Ernest D. Preate, Jr., by and through Clarence D. Neish, Deputy Attorney General, and Leon Frederick Ackerly and Stacy Marie Watral, owners/claimants of defendant/property, by and through their attorney, Ian Murray, Esquire, assert the following:

1. On August 12 and 13, 1993, the above named owners/claimants of the defendant/property, were served by the Commonwealth of Pennsylvania with Petitions for Forfeiture and Condemnation of the defendant/property.

2. On or about September 1, 1993, owner/claimant, Leon Frederick Ackerly, through his attorney, Donald E. Lewis, Esquire, filed an Answer in response to the Petition and Rule to Show Cause.

A TRUE COPY AS FILED

ATTEST

DEPUTY CLERK OF COURTS

W COMMISSION EXPIRES THE FIRST MONDAY IN JULY 2006

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3. Owners/claimants do not object to the forfeiture of certain items of defendant/property upon the return of others.

4. On or about December 21, 1993, Clarence D. Neish, Deputy Attorney General, on behalf of the Commonwealth of Pennsylvania and Ian Murray, Esquire, on behalf of Leon Frederick Ackerly and Stacy Marie Watral, owners/claimants agreed to amicably settle this case without the necessity of an evidentiary hearing.

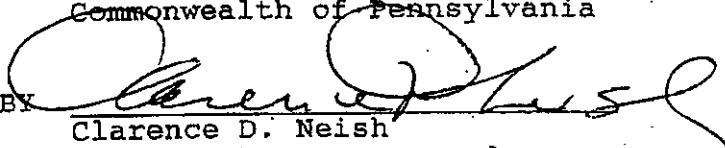
Under the terms of said agreement, the One Winchester 12 Gauge Serial #L2290391, One Strum & Ruger 5.56 Rifle Serial #186-13988, One 12 Gauge Rifle Serial #C946759HL-41, One H & R 12 Gauge Serial #AR256410 One Remington 30.06 Serial #A8050040 and all seized ammunition suitable for use in the above weapons defendant/property, is to be returned to owner/claimant Leon Frederick Ackerly, by and through his attorney, Ian Murray. The \$2,918.00 Cash, U.S. Currency, One Glock 10 MM Serial #VM886, One Omega Stun Gun Serial #919005, One Sunbeam Electronic Scale and any remaining seized ammunition shall be forfeited to the Commonwealth of Pennsylvania, Office of Attorney General.

6. The aforesaid terms of this agreement are hereby acknowledged and confirmed in writing and the parties hereto consent to the attached Order of Court as attested to by the undersigned signatures.

WHEREFORE, the Commonwealth of Pennsylvania, by and through Clarence D. Neish, Deputy Attorney General and Leon Frederick Ackerly and Stacy Marie Watral, owners/claimants, by and through their attorney, Ian Murray, Esquire, requests this Honorable Court to enter an Order directing that the defendant/property be distributed in accordance with the aforesaid agreement.

Respectfully submitted,

Commonwealth of Pennsylvania

BY 
Clarence D. Neish
Deputy Attorney General

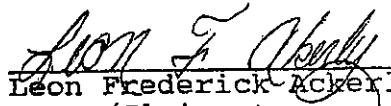
Date: 5/26/94

Date: 2/1/94

Date: 2/1/94

Date: 2/1/94

Date: 2/1/94


Leon Frederick Ackerly
Owner/Claimant


Stacy Marie Watral
Owner/Claimant


Ian Murray, Esquire
Attorney for owners/claimants


Donald E. Lewis, Esquire
Attorney for owner/claimant

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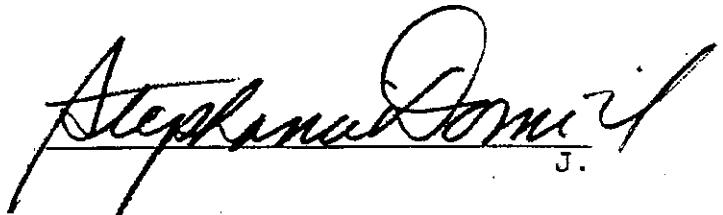
CONSENT ORDER

AND NOW, this 10th day of June, 1994 ^{upon} agreement of
the parties hereto and consideration of the foregoing petition, it
is ORDERED and DECREED as follows:

1. One Winchester 12 Gauge Serial #L2290391, One Strum & Ruger 5.56 Rifle Serial #186-13988, One 12 Gauge Rifle Serial #C946759HL-41, One H & R 12 Gauge Serial #AR256410 One Remington 30.06 Serial #A8050040 and all seized ammunition suitable for use in the above weapons shall be returned to Leon Frederick Ackerly, by and through his attorney, Ian Murray, Esquire, 4036 West Lake Road, Erie, Pennsylvania, 16505.

2. All claims of right, title or interest of Leon Frederick or Stacy Marie Watral or any other claimant in the \$2,918.00 Cash, U.S. Currency, One Glock 10 MM Serial #VM886, One Omega Stun Gun Serial #919005, One Sunbeam Electronic Scale and any remaining seized ammunition balance of defendant/property are hereby declared to be terminated, revoked and rendered null and void. The \$2,918.00 Cash, U.S. Currency, One Glock 10 MM Serial #VM886, One Omega Stun Gun Serial #919005, One Sunbeam Electronic Scale and any remaining seized ammunition balance of defendant/property is hereby condemned and forfeited to the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Narcotics Investigation and Drug Control pursuant to the Judicial Code, Chapter 68, Controlled Substances Forfeitures, Sections 6801-6802, 42 Pa. C.S.A. §6801 et seq.

BY THE COURT:



Stephan Domi J.